following officers have or will be designated by the Captain of the Port: the Coast Guard Patrol Commander, the senior boarding officer on each vessel enforcing the safety zone, and the Duty Officer at Coast Guard Group Portland, Oregon.

(c) *Regulations.* In accordance with the general regulations in Section 165.23 of this part, entry into this zone is prohibited, unless authorized by the Captain of the Port or his designated representatives.

(d) *Effective Dates.* This section is effective on September 20, 1995 at 12 a.m. (PDT), and remains in effect until November 19, 1995 at 12 p.m. (PST), unless sooner terminated by the Captain of the Port.

Dated: August 29, 1995.

C.E. Bills,

Captain, U.S. Coast Guard, Captain of the Port.

[FR Doc. 95–23354 Filed 9–20–95; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IL98–2–6840; FRL–5299–3]

Approval and Promulgation of an Implementation Plan for Vehicle Miles Traveled; Illinois

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The United States Environmental Protection Agency (USEPA) is approving a request from Illinois, for a State Implementation Plan (SIP) revision for the Chicago ozone nonattainment area, which demonstrates how mobile source emissions will continue to decline over the years and not increase. In addition, Illinois has implemented 127 transportation control measures (TCMs) for a total reduction of more than two tons per day of volatile organic compounds. Two public comment letters were received which are addressed in this rulemaking. This rulemaking action approves, in final, the first two requirements of the vehicle miles traveled (VMT) Offset SIP revision request and the associated TCMs for Chicago, Illinois as requested by Illinois.

EFFECTIVE DATE: This final rule is effective on October 23, 1995.

ADDRESSES: Copies of the documents relevant to this action are available for inspection during normal business hours at the following location: Regulation Development Section, Regulation Development Branch (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

Please contact Patricia Morris at (312) 353–8656 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Patricia Morris, Regulation Development Section, Regulation Development Branch (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–8656.

SUPPLEMENTARY INFORMATION:

I. Background

Section 182(d)(1)(A) of the Clean Air Act, as amended in 1990 (Act), requires States containing ozone nonattainment areas classified as ''severe'' pursuant to section 181(a) of the Act to adopt TCMs and transportation control strategies to offset any growth in emissions from growth in VMT or number of vehicle trips, and to attain reductions in motor vehicle emissions (in combination with other emission reduction requirements) as necessary to comply with the Act's RFP milestones and attainment requirements. The requirements for establishing a VMT Offset program are discussed in the April 16, 1992, General Preamble to Title I of the Act (57 FR 13498), in addition to section 182(d)(1)(A) of the Act.

The VMT Offset provision requires that States submit by November 15, 1992, specific enforceable TCMs and strategies to offset any growth in emissions from growth in VMT or number of vehicle trips sufficient to allow total area emissions to comply with the RFP and attainment requirements of the Act.

As described in the November 2, 1994, proposed rule (see 59 FR 54866, 54867), the USEPA has observed that these three elements (i.e., offsetting growth in mobile source emissions, attainment of the RFP reduction, and attainment of the ozone National Ambient Air Quality Standards (NAAQS)) can be divided into three separate submissions that could be submitted on different dates.

Under this approach, the first element, the emissions offset element, was due on November 15, 1992. The USEPA believes this element is not necessarily dependent on the development of the other elements. The State could submit the emissions growth offset element independent of an analysis of that element's consistency with the periodic reduction and attainment requirements of the Act. Emissions trends from other sources need not be considered to show compliance with this offset requirement. As submitting this element in isolation does not implicate the timing problem of advancing deadlines for RFP and attainment demonstrations, USEPA does not believe it is necessary to extend the statutory deadline for submittal of the emissions growth offset element.

The second element, which requires the VMT Offset SIP to comply with the 15 percent RFP requirement of the Act, was due on November 15, 1993, which is the same date on which the 15 percent RFP SIP itself was due under section 182(b)(1) of the Act. The USEPA believes it is reasonable to extend the deadline for this element to the date on which the entire 15 percent SIP was due, as this allows States to develop the comprehensive strategy to address the 15 percent reduction requirement and assure that the TCM elements required under section 182(d)(1)(A) are consistent with the remainder of the 15 percent demonstration. Indeed, USEPA believes that only upon submittal of the broader 15 percent plan can a State have had the necessary opportunity to coordinate its VMT strategy with its 15 percent plan.

The third element, which requires the VMT Offset SIP to comply with the post-1996 RFP and attainment requirements of the Act, was due on November 15, 1994, the statutory deadline for those broader submissions. The USEPA believes it is reasonable to extend the deadline for this element to the date on which the post-1996 RFP and attainment SIPs are due for the same reasons it is reasonable to extend the deadline for the second element. First, it is arguably impossible for a State to make the showing required by Section 182(d)(1)(A) for the third element until the broader demonstrations have been developed by the State. Moreover, allowing States to develop the comprehensive strategy to address post-1996 RFP and attainment by providing a fuller opportunity to assure that the TCM elements comply with the broader RFP and attainment demonstrations, will result in a better program for reducing emissions in the long term.

On July 14, 1994, Illinois submitted to USEPA documentation to fulfill the VMT-Offset SIP. A public hearing was held on June 22, 1994, and documentation on the public hearing was submitted to complete the SIP revision request. The SIP revision was found to be complete by the USEPA in a letter dated August 4, 1994. The USEPA proposed to approve the first and second element on December 4,

1994. The public comment period ended on January 5, 1995, and two public comment letters were received.

II. Evaluation of the State Submittal

Section 182(d)(1)(A) of the Act requires the State to offset any growth in emissions from growth in VMT. As discussed in the General Preamble, the purpose is to prevent a growth in motor vehicle emissions from canceling out the emission reduction benefits of the federally mandated programs in the Act. The USEPA interprets this provision to require that sufficient measures be adopted so that projected motor vehicle volatile organic compound (VOC) emissions will never be higher during the ozone season in one year than during the ozone season in the year before. When growth in VMT and vehicle trips would otherwise cause a motor vehicle emissions upturn, this upturn must be prevented. The emissions level at the point of upturn becomes a ceiling on motor vehicle emissions. This requirement applies to projected emissions in the years between the submission of the SIP revision and the attainment deadline, and is above and beyond the separate requirements for the RFP and the attainment demonstrations. The ceiling level is defined, therefore, up to the point of upturn, as motor vehicle emissions that would occur in the ozone season of that year, with VMT growth, if all measures for that area in that year were implemented as required by the Act. When this curve begins to turn up due to growth in VMT or vehicle trips, the ceiling becomes a fixed value. The ceiling line would include the effects of Federal measures such as new motor vehicle standards, phase II RVP controls, and reformulated gasoline, as well as the Act-mandated SIP requirements.

The State of Illinois has demonstrated in its submittal of July 14, 1994, that the predicted growth in VMT in Chicago, Illinois, is not expected to result in a growth in motor vehicle emissions that will negate the effects of the reductions mandated by the Act. For this analysis, Illinois used an average summer weekday VMT growth rate of 2.7 percent per year between 1990 and 1996. This growth rate is supported by the ground counts in the Illinois road file and confirmed by the Illinois Department of Transportation. Further, Illinois has projected motor vehicle emissions to the year 2007 using a 2.7 percent per year growth rate not withstanding that the most current socioeconomic data in combination with the transportation network model predicts a lower VMT growth rate. The 2.7 percent per year projection does not predict an upturn in motor vehicle emissions through the year 2007. In the event that the projected socioeconomic data and associated VMT grow more rapidly than currently predicted, Illinois is required by Section 182(c)(5) to track actual VMT starting with 1996 and every three years thereafter to demonstrate that the actual VMT is equal to or less than the projected VMT. TCMs will be required to offset VMT that is above the projected levels (section 182(c)(5)).

Illinois has evaluated the effectiveness and predicted impact of a number of TCMs. The TCM evaluation is documented in the December 9, 1993, Chicago Area Transportation Study (CATS) document ''Transportation Control Measures Contribution to the 15 percent Rate of Progress State Implementation Plan''. CATS is the metropolitan planning organization for the Chicago metropolitan area. The December 9, 1993, document (which is part of the docket for this notice) lists the TCMs and the emission reduction calculation methodology. Illinois has implemented TCMs in the Chicago area and has included TCMs in the 15 percent RFP SIP. Today's SIP revision approval incorporates these TCMs into the Illinois SIP and requires Illinois to construct and operate the specified TCMs that are identified and credited to meet the 15 percent RFP and post 1996 RFP. These TCMs are listed in Table 1. On March 9, 1995 the Policy Committee of the Chicago Area Transportation Study, as metropolitan planning organization for northeastern Illinois, approved these TCMs for submittal to the Illinois Environmental Protection Agency as part of the control strategy SIP for the Chicago ozone nonattainment area. There are 127 TCMs that are being incorporated into the Illinois SIP, for an estimated reduction in volatile organic compounds of 2.78 tons per day (tpd). Illinois is using 2.0 tpd to meet the required 15 percent, and the additional 0.78 tpd will be credited toward the post 1996 RFP. Most of the TCMs (111) have already been completed and the remaining TCMs are scheduled to be completed by the end of 1996. The vanpool incentive program has been implemented and the Pace Board (the project implementor) has committed to this project for future years.

Illinois has taken credit for conventional TCMs such as signal interconnects, additional commuter parking, vanpool programs and transit improvements which include station improvements and new rapid transit service to Midway Airport. The specific projects are listed in Table 1. In addition, Illinois has implemented a number of TCMs that are expected to benefit air quality such as bicycle and pedestrian projects that will help eliminate trips. At this time, however, Illinois is not taking a reduction credit for these projects since a methodology for determining the emission reduction credit is not firmly established and additional studies of the effectiveness of these projects are being conducted. Illinois may take credit for these projects at a later date. Because Illinois is not taking credit at this time, these projects are not currently being approved as part of this SIP revision request.

Illinois submitted a 15 percent RFP SIP for the Chicago area to the USEPA in November 1993, but the submittal was found incomplete in a letter dated January 21, 1994. The RFP SIP lacked enforceable regulations.

On May 23, 1995, Illinois submitted materials to supplement the 15 percent RFP plan. This submittal finalized Illinois' 15 percent SIP. The USEPA found Illinois' submitted 15 percent SIP complete on June 15, 1995. The SIP submission contains a menu of adopted emissions reductions measures that the State believes will achieve the 15 percent reduction requirement by November 15, 1996. In the submission, Illinois uses TCMs for a reduction credit of 2 tpd.

For the attainment demonstration and post-1996 RFP SIPs, which Illinois submitted on November 22, 1994 and May 23, 1995, USEPA is still in the process of evaluating these SIP submission.

Illinois has met the first and second elements of the VMT offset SIP requirements of section 182(d)(1)(A). Regarding the first element, Illinois has identified and evaluated TCMs to reduce VMT, and has shown that VMT growth will not result in a growth of motor vehicle emissions that will negate the effects of the reductions required under the Act and that there will not be an upturn of motor vehicle emissions. Regarding the second element, Illinois has submitted a complete 15 percent SIP that relies upon TCMs for 2 tpd to make its proffered showing that the 15 percent reduction will be achieved. These TCMs will be approved into the Illinois SIP effective with this final rule. Consequently, USEPA does not believe it is necessary to delay taking action on this second element of the VMT SIP, and that the Agency can at this point rely upon Illinois's submitted 15 percent SIP to satisfy the second VMT SIP element. However, if in evaluating the 15 percent SIP for approval it is

determined that Illinois will in fact need to implement additional measures to meet the 15 percent RFP requirement, and a subsequent submission of a revised 15 percent SIP is required, EPA would have to reevaluate its approval of the second element of the VMT SIP.

The third requirement is for Illinois to use TCMs as necessary to attain the standard. This third requirement will be applicable if Illinois incorporates TCMs into its attainment plan through any future SIP revisions.

III. Public Comments

On December 6, 1994, the USEPA proposed to approve the first and second elements of the Illinois VMT Offset SIP and requested public comment. The public comment period closed on January 5, 1995, and 2 sets of comments were received. The Natural Resources Defense Council (NRDC) submitted comments and the Environmental Law and Policy Center submitted comments for themselves and the following groups: the American Lung Association of Metropolitan Chicago; Business and Professional People for the Public Interest; the Center for Neighborhood Technology; the Chicagoland Bicycle Federation; and the Sierra Club, Illinois Chapter. The following summarizes the comments and USEPA's response to these comments:

Comment: Commenters argue that the Act requires TCMs to offset emissions resulting from all growth in VMT above 1990 levels, and USEPA is required by the Act to ensure emission reductions despite an increase in VMT. The legislative history states that ''[t]he baseline for determining whether there has been a growth in emissions due to increased VMT is the level of vehicle emissions that would occur if VMT held constant in the year.'' See H. Rep. No. 101–490 Part I, 101st Cong., 2nd session at 242, and S. Rep. No. 101–228, 101st Cong., 1st Sess. at 44.

Response: As discussed in the General Preamble, USEPA believes that section 182(d)(1)(A) of the Act requires the State to ''offset any growth in emissions'' from growth in VMT but not, as suggested by the comment, all emissions resulting from VMT growth (see 57 FR 13498, 13522–13523, April 16, 1992). The purpose is to prevent a growth in motor vehicle emissions from canceling out the emission reduction benefits of the federally mandated programs in the Act. The baseline for emissions is the 1990 level of vehicle emissions and the subsequent reductions in emission levels required to reach attainment. Thus, the anticipated benefits from the mandated measures such as the Federal motor vehicle pollution control program, lower reid vapor pressure, enhanced inspection and maintenance and all other motor vehicle emission control programs are included in the ceiling line calculation used by Illinois in the VMT Offset SIP. Table 2 in the Illinois submittal shows how emissions will decline substantially from 491.2 tons per day (tpd) in 1990 to 151.4 tpd in 2007 (assuming a 2.7 percent per year VMT growth rate) and will not begin to turn up. Emission reductions are expected every year through the year 2007.

The ceiling line approach does not ''tolerate increases in traffic of a magnitude that would wipe out the air quality gains'' as suggested by the comment. In fact, the ceiling line level decreases from year to year as the State implements various control measures and the decreasing ceiling line prevents an upturn in mobile source emissions. Dramatic increases in VMT that could wipe out the benefits of motor vehicle emission reduction measures will not be allowed and will trigger the implementation of TCMs. This prevents mere preservation of the status quo, and ensures emissions reductions despite an increase in VMT such that the rate of emissions decline is not slowed by increases in VMT or number of trips. To prevent future growth changes from adversely impacting emissions from motor vehicles, Illinois is required by section 182(c)(5) to track actual VMT starting with 1996 and every three years thereafter to demonstrate that the actual VMT is equal to or less than the projected VMT. TCMs will be required to offset VMT that is above the projected levels (section 182(c)(5)).

Under the commenter's approach to section 182(d)(1)(A), Illinois would have to offset VMT growth even while vehicle emissions are declining. Although the statutory language could be read to require offsetting any VMT growth, USEPA believes that the language can also be read so that only actual emissions increases resulting from VMT growth need to be offset. The statute by its own terms requires offsetting of ''any growth in emissions from growth in VMT.'' It is reasonable to interpret this language as requiring that VMT growth must be offset only where such growth results in emissions increases from the motor vehicle fleet in the area.

While it is true that the language of the legislative history appears to support the commenter's interpretation of the statutory language, such an interpretation would have drastic implications for Illinois if the State were forced to ignore the beneficial impacts of all vehicle tailpipe and alternative fuel controls. Although the original authors of the provision and the legislative history may in fact have intended this result, USEPA does not believe that the Congress as a whole, or even the full House of Representatives, believed at the time it voted to pass the 1990 Amendments to the Act that the words of this provision would impose such severe restrictions.

Given the susceptibility of the statutory language to these two alternative interpretations, USEPA believes it is the Agency's role in administering the statute to take the interpretation most reasonable in light of the practical implications of such interpretation and the purposes and intent of the statutory scheme as a whole. In the context of the intricate planning requirements Congress established in title I to bring areas towards attainment of the ozone NAAQS, and in light of the absence of any discussion of this aspect of the VMT offset provision by the Congress as a whole (either in floor debate or in the Conference Report), USEPA concludes that the appropriate interpretation of section 182(d)(1)(A) requires offsetting VMT growth only when such growth would result in actual emissions increases.

Comment: Section 182(d)(1)(A) of the Act requires that emissions of oxides of nitrogen (NO_X) as well as VOCs resulting from VMT growth must be offset.

Response: USEPA disagrees with the commenter's interpretation that section 182(d)(1)(A) requires NO_X emissions from VMT growth to be offset. While that section provides that ''any growth in emissions'' from growth in VMT must be offset, USEPA believes that Congress clearly intended that the offset requirement be limited to VOC emissions. First, section 182(d)(1)(A)'s requirement that a State's VMT TCMs comply with the ''periodic emissions reduction requirements'' of sections 182(b) and (c) the Act indicates that the VMT offset SIP requirement is VOC-specific. Section 182(c)(2)(B), which requires reasonable further progress demonstrations for serious ozone nonattainment areas, provides that such demonstrations will result in VOC emissions reductions; thus, the only ''periodic emissions reduction requirement'' of section 182(c)(2)(B) is VOC-specific. In fact, it is only in section 182(c)(2)(C)—a provision not referenced in section 182(d)(1)(A)—that Congress provided States the authority to submit demonstrations providing for reductions of emissions of VOCs and

NO_X in lieu of the SIP otherwise required by section 182(c)(2)(B).

Moreover, the 15 percent periodic reduction requirement of section 182(b)(1)(A)(i) applies only to VOC emissions, while only the separate ''annual'' reduction requirement applies to both VOC and NO_X emissions. USEPA believes that Congress did not intend the terms ''periodic emissions reductions'' and ''annual emissions reductions'' to be synonymous, and that the former does not include the latter. In section 176(c)(3)(A)(iii) of the Act, Congress required that conformity SIPs ''contribute to annual emissions reductions'' consistent with section 182(b)(1) (and thus achieve NO_X emissions reductions), but does not refer to the 15 percent periodic reduction requirement. Conversely, section 182(d)(1)(A) refers to the periodic emissions reduction requirements of the Act, but does not refer to annual emissions reduction requirements that require NO_X reductions. Consequently, USEPA interprets the requirement that VMT SIPs comply with periodic emissions reduction requirements of the Act to mean that only VOC emissions are subject to section 182(d)(1)(A) in severe ozone nonattainment areas.

Finally, USEPA notes that where Congress intended section 182 ozone SIP requirements to apply to NO_X as well as VOC emissions, it specifically extended applicability to NO_X. Thus, references to ozone or emissions in general in section 182 do not on their own implicate NO_X. For example, in section 182(a)(2)(C), the Act requires States to require preconstruction permits for new or modified stationary sources ''with respect to ozone''; Congress clearly did not believe this reference to ozone alone was sufficient to subject NO_X emissions to the permitting requirement, since it was necessary to enact section 182(f)(1) of the Act, which specifically extends the permitting requirement to major stationary sources of NO_X. Since section 182(d)(1)(A) does not specifically identify NO_X emissions requirements in addition to the VOC emissions requirements identified in the provision, USEPA does not believe States are required to offset NO_X emissions from VMT growth in their section 182(d)(1)(A) SIPs.

IV. Final Rulemaking Action

Based on the State's submittal request and in consideration of the public comments received in response to the proposed rule, USEPA is approving the SIP revision submitted by the State of Illinois as satisfying the first two of the three VMT offset plan requirements. The USEPA is also approving into the Illinois SIP 127 TCMs creditable to the 15 percent and post 1996 RFP.

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to any SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., USEPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, USEPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on small entities affected. Moreover, due to the nature of the Federal-state relationship under the Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Act forbids USEPA to base its actions concerning SIPs on such grounds. See *Union Electric Co.* v. *U.S. E.P.A.*, 427 U.S. 246, 256–66 (S. Ct. 1976); 42 U.S.C. 7410(a)(2).

Under Section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, the USEPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of $100 million or more. Under Section 205, the USEPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires the USEPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

The USEPA has determined that the approval action promulgated today does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector.

This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or the private sector, result from this action.

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 20, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (see Section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Ozone, Transportation control measures, Vehicle miles traveled offset.

Dated: August 31, 1995.

Valdas V. Adamkus,

Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart O—Illinois

2. Section 52.726 is amended by adding paragraph (j) to read as follows:

§ 52.726 Control Strategy: Ozone

* * * * *

(j) Approval—On July 14, 1994, Illinois submitted two of three elements required by section 182(d)(1)(A) of the Clean Air Amendments of 1990 to be incorporated as part of the vehicle miles

traveled (VMT) State Implementation Plan intended to offset any growth in emissions from a growth in vehicle miles traveled. These elements are the offsetting of growth in emissions attributable to growth in VMT which was due November 15, 1992, and, transportation control measures (TCMs) required as part of Illinois' 15 percent reasonable further progress (RFP) plan which was due November 15, 1993. Illinois satisfied the first requirement by projecting emissions from mobile sources and demonstrating that no increase in emissions would take place. Illinois satisfied the second requirement by submitting the TCMs listed in Table 1 which are now approved into the Illinois SIP.

TABLE 1

Project type	Location description	Completion status	SIP credit VOC tpd
RS/SIG MOD	Madison Street (Western Ave. to Halsted Street)	Done	0.015400
SIG COORD	Willow Road (Landwer Road to Shermer)	Awarded	0.052000
SIG COORD	Rand Road (Baldwin Road to Kennicott)	Awarded	0.052000
SIG COORD	Northwest Hwy (Potter Road to Cumberland Avenue)	Awarded	0.030000
SIGS/SIG COORD	159th Street (US 45 to 76th Ave & at 91st Avenue)	Awarded	0.030000
SIG COORD	Harlem Ave. (71st St. to 92nd)	Awarded	0.052000
SIG COORD	Harlem Ave. (99th Street to 135th St.)	Awarded	0.052000
RECONST/SIGS/LTS	Archer Ave. (88th Ave to 65th St.)	Awarded	0.030000
SIG COORD	Ogden Ave. (N. Aurora Road to Naper Boulevard)	Awarded	0.030000
SIG COORD	North Ave. (Tyler to Kautz)	Awarded	0.030000
SIG COORD	Higgens Road (Il 72 at Il 31)	Awarded	0.030000
SIG COORD	Sheridan Road (Il 173 to Wadsworth)	Awarded	0.030000
SIG COORD	Lagrange Road (Belmont to Lake St.)	Awarded	0.030000
SIG COORD	Dundee Road (Sanders Road to Skokie Valley Road)	Awarded	0.052000
SIG COORD	Dundee Road (Buffalo Grove Road to Il 21)	Awarded	0.030000
INT IMP/SIG COORD	Golf Road (E. River Road to Washington Ave.)	Awarded	0.052000
SIG COORD	Golf Road (Barrington to Roselle Road)	Awarded	0.030000
SIG COORD	Higgins Road (Barrington to Roselle Road)	Awarded	0.030000
SIG COORD	Joe Orr Road (Vincennes Ave. to Il 1)	Awarded	0.030000

TABLE 1

Project type	Location description	Completion status	SIP credit
SIG COORD/RS	Crawford Ave. (93rd Street to 127th Street)	Awarded	0.052000
SIG COORD	IL 53 (Briarcliff to South of I–55)	Done	0.030000
SIG COORD	Ogden Ave. (Oakwood Avenue to Fairview Avenue)	Awarded	0.019000
SIG COORD	US 14 (Rohlwing Road to Wilke Road)	Awarded	0.030000
SIG COORD	US 30 (At Cottage Grove, Ellis St)	Awarded	0.030000
SIG COORD	IL 53 (Modonough to Mills)	Done	0.030000
SIG CONN	Ogden Ave. (IL 43 to 31st Street)	Awarded	0.013000
SIG CONN	US 12 (Long Grove—Hicks Road)	Awarded	0.055200
SIG CONN	North Ave. (Oak Park to Ridgeland)	Awarded	0.007000
SIG CONN	Roosevelt Road (Westchester Bl—IL 43)	Awarded	0.137000
SIG CONN	Depster St (Keeler to Crawford Ave.)	Awarded	0.010000
SIG CONN	Arlington Hgts Rd. (Thomas to Central)	Awarded	0.044000
SIG CONN	Palatine Rd. (Shoenbeck to Wolf Roads)	Awarded	0.042500
SIG CONN	Western Ave. (US 30—Lakewood)	Awarded	0.018900
RS/INT IMP	North Ave. (I–290 to IL 43)	Awarded	0.056100
INT IMP	Plum Grove Rd. (At Higgins Road)	Awarded	0.010700
INT IMP	St Street (At Illinois)	Awarded	0.002700
RS/SIG MOD/INT IMP	Illinois/Grand (Kingsbury to Lake Shore Drive)	Done	0.004200
ADD TURN LANES	York Rd. (Industrial to Grand Ave.)	Done	0.003800
SERVICE IMP	SW Route Lane Service	Scheduled	0.005516
SIG INTCONN	Washington Street	Scheduled	0.030370
SIG INTCONN	IL 59	Scheduled	0.068650
ENGR	Citywide—Naperville		0.086230
SIG INTCONN	Washington Street	Scheduled	0.008230
SIG INTCONN	Lewis Ave. (Yorkhousse to ILL 173)	Scheduled	0.034600
SIG INTCONN	Schaumberg Rd. (Barrington to Martingale)	Scheduled	0.078080
Vanpool Program (94 vehicles)	Region-Wide Suburban	Done	0.134000
Transp. Center	North West Cook County	Done	0.032835
Transp. Center	Sears T.F.	Done	0.005805
Station	Clark/Lake	Done	0.010000
Station Recon	18 Th Douglas Line	Done	0.001500
Station Recon	Linden	Done	0.001500
Station Recon	Cottage Grove	Done	0.001300
Com. Pkg	Lisle	Done	0.010177
Com. Pkg	Jefferson Park	Done	0.000110
Com. Pkg	Edison Park	Done	0.003614
Com. Pkg	Palatine	Done	0.004336

TABLE 1—Continued

Project type	Location description	Completion status	SIP credit
Com. Pkg	Central Street	Done	0.000519
Com. Pkg	Palatine	Done	0.004890
Com. Pkg	Crystal Lake	Done	0.034948
Com. Pkg	137Th/Riverdale	Done	0.004565
Com. Pkg	River Forest	Done	0.000289
Com. Pkg	115Th/Kensington	Done	0.002795
Com. Pkg	119Th St	Done	0.004483
Com. Pkg	Wilmette	Done	0.001587
Com. Pkg	111Th St	Done	0.000507
Com. Pkg	Edison Park	Done	0.002371
Com. Pkg	Joliet	Done	0.003967
Com. Pkg	Hanover Park	Done	0.021799
Com. Pkg	Bartlett	Done	0.008911
Com. Pkg	Chicago Ridge	Done	0.002159
Com. Pkg	103 Rd St	Done	0.000675
Com. Pkg	Elmhurst	Done	0.003857
Com. Pkg	Bartlett	Done	0.009326
Com. Pkg	Morton Grove	Done	0.001444
Com. Pkg	Palatine	Done	0.003598
Com. Pkg	Harvard	Done	0.006299
Com. Pkg	Willow Springs	Done	0.001200
Com. Pkg	Edgebrook	Done	0.002240
Com. Pkg	Bensenville	Done	0.002010
Com. Pkg	Hanover Park	Done	0.015020
Com. Pkg	Midlothian	Done	0.002570
Com. Pkg	Route 59	Done	0.025020
Com. Pkg	Lake Forest (West)	Done	0.013780
Com. Pkg	Lombard	Done	.....
Com. Pkg	Elmhurst	Done	0.001010
Com. Pkg	Woodstock	Done	0.019000
Com. Pkg	University Park	Done	0.019950
Com. Pkg	Grayslake	Done	0.006210
Com. Pkg	Oak Forest	Done	0.004260
Com. Pkg	91 St St.	Done	0.003380
Com. Pkg	Lockport	Done	0.007360
Com. Pkg	Ravenswood	Done	0.000130
Com. Pkg	Hickory Creek	Done	0.060140
Com. Pkg	Cary	Done	0.005980
Com. Pkg	Blue Island	Done	0.019430
Com. Pkg	Lemont	Done	0.016200
Com. Pkg	Itasca	Done	0.003860
Com. Pkg	Maywood	Done	0.000600
Com. Pkg	Ivanhoe	Done	0.001960
Com. Pkg	Ravinia	Done	0.003210
Com. Pkg	Fox River Grove	Done	0.025170
Com. Pkg	Medinah	Done	0.012250
Com. Pkg	Hanover Park	Done	0.011840
Com. Pkg	Worth	Done	0.003530
Com. Pkg	Roselle	Done	0.007710
Com. Pkg	Crystal Lake	Done	0.015050
Com. Pkg	Gresham	Done	0.000300
Com. Pkg	Barrington	Done	0.002420
Rideshare Prog.	Regionwide	Scheduled	0.040000
Rapid Transit Service	Midway Airport	Done	0.220000
Transp. Center	Deerfield Lake-Cook	Done	0.004160
Station Recon	Davis St.	Done	0.004000
Station Recon	Addison	Done	0.004000
Station Recon	King Drive	Done	0.003000
Station Recon	Washington/Wells	Done	0.003000
Com. Pkg	Cary	Done	0.027910
Com. Pkg	Morton Grove	Done	0.002460
Com. Pkg	80th Ave.	Scheduled	0.043200
Com. Pkg	Round Lake	Done	0.015150
Com. Pkg	Grayslake	Done	0.009170
Com. Pkg	Ingleside	Scheduled	0.005430
Com. Pkg	Schamburg	Scheduled	0.042090
Com. Pkg	Oak Forest	Scheduled	0.004680
Com. Pkg	Lake Cook	Scheduled	0.026390
Com. Pkg	Grayslake	Scheduled	0.035290

[FR Doc. 95–23472 Filed 9–20–95; 8:45 am]
BILLING CODE 6560–50–P

40 CFR Part 300

[FRL–5300–9]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of a site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of NAS Whidbey Seaplane Base, located on Whidbey Island, Washington from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of Washington have determined that no further cleanup under CERCLA is appropriate and that the selected remedy has been protective of public health, welfare and the environment.

EFFECTIVE DATE: September 21, 1995.

FOR FURTHER INFORMATION CONTACT:
R. Matthew Wilkening, Site Manager, U.S. Environmental Protection Agency, Region 10, 1200 6th Avenue, HW–124, Seattle, WA 98101, (206) 553–1284.
Engineering Field Activity, NW (primary Admin. Record location) Naval Facilities Engineering Command, 19917 7th Ave. Poulsbo, Washington

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is NAS Whidbey Seaplane, Whidbey Island, Washington.

A Notice of Intent to Delete for this site was published July 17, 1995 in Federal Register [60 FR 36770]. The closing date for comments on the Notice of Intent to Delete was August 31, 1995. EPA received no comments.

EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Any site deleted from the NPL remains eligible for remedial actions in the unlikely event that conditions at the site warrant such action in the future. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and record keeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 12, 1995.

Chuck Clarke,

Regional Administrator, USEPA Region 10.

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp. p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Appendix B—[Amended]

2. Table 2 of Appendix B to part 300 is amended by removing the site NAS Whidbey Seaplane Base, Whidbey Island, Washington.

[FR Doc. 95–23438 Filed 9–20–95; 8:45 am]
BILLING CODE 6560–50–P

40 CFR Part 799

[OPPTS–42111F, FRL 4927–8]

RIN NO. 2070–AB94

Withdrawal of Certain Testing Requirements for Office of Water Chemicals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is amending the final test rule for the Office of Water Chemicals by rescinding the 90–day subchronic testing requirement for 1,1,2,2-tetrachloroethane and the 90–day and 14–day testing requirements for 1,1-dichloroethane. The testing requirements are being rescinded because the Agency has received data adequate to meet the data needs for which the test rule was promulgated.

DATES: This amendment shall become effective on November 6, 1995. In accordance with 40 CFR 23.5, this rule shall be promulgated for purposes of judicial review at 1 p.m. eastern (daylight or standard as appropriate) time on October 5, 1995.

FOR FURTHER INFORMATION CONTACT:
Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, 401 M St., SW., Washington, DC 20460, (202) 554–1404, TDD (202) 554–0551, Internet address: TSCA-Hotline@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA is amending the final test rule for the Office of Water Chemicals in 40 CFR 799.5075 by rescinding; (1) the 90–day subchronic testing requirement for 1,1,2,2-tetrachloroethane, (2) the 90–day testing requirements for 1,1-dichloroethane, and (3) the 14–day testing requirements for 1,1-dichloroethane.

I. Background

In the Federal Register of April 10, 1995 (60 FR 18079), EPA proposed rescinding the 90–day subchronic testing requirement for 1,1,2,2-tetrachloroethane and the 90–day and 14–day testing requirements for 1,1-dichloroethane. The rule establishing these testing requirements was promulgated pursuant to TSCA section 4(a), and published in the Federal Register on November 10, 1993 (58 FR 59667).

The reasons for the proposal were that data had become available for these substances which, after review by EPA, were adjudged to be adequate to meet the data needs for which the test rule for these substances was promulgated, the establishment of Health Advisories for the Office of Water. The final test rule for Drinking Water Contaminants Subject to Testing (''the Office of Water Chemicals test rule'') which EPA is now amending, is codified in 40 CFR 799.5075.

II. Public Comments

EPA received only one public comment during the public comment period. This comment, from the ODW Chemicals Task Force of Washington, D.C., agreed with the Agency proposal.

III. Amended Testing Requirements

The Office of Water Chemicals test rule at 40 CFR 799.5075 is amended to delete the 90–day subchronic testing requirement for 1,1,2,2-tetrachloroethane and the 14–day and 90–day testing requirements for 1,1-dichloroethane. Specifically, parties subject to the test rule will no longer have to comply with 40 CFR 799.5075(a)(1), (c)(1)(i)(A) and (c)(2)(i)(A).

IV. Economic Analysis

Eliminating these testing requirements will reduce testing costs. Therefore, this amendment should not cause adverse economic impact.